

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARJORIE A. BROOKS,
Plaintiff,
v.
LEONARD J. FOGLIO, et al.,
Defendants.

HONORABLE JOSEPH E. IRENAS
CIVIL ACTION NO. 13-2504
(JEI/JS)

**ORDER GRANTING MOTION TO
REMAND (Dkt. No. 7), DENYING
REQUEST FOR ATTORNEY'S FEES,
DENYING MOTION TO DISMISS AS
MOOT, AND DISCHARGING ORDER TO
SHOW CAUSE**

APPEARANCES:

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Counsel for Plaintiff

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Counsel for Defendants Molette and All Property
Adjustment Services, Inc.

MCMAHON, MARTINE & GALLAGHER, ESQS.
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Brooklyn, NY 11201

and

NIELSEN, CARTER & TREAS, LLC
By: Gerald J. Nielsen
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Counsel for Defendants Colonial Claims Corporation,
David Brush, and Ron Eubanks

IRENAS, Senior District Judge

This matter having appeared before the Court upon the Colonial Claims Defendants' Motion to Dismiss (Dkt. No. 3), the Court's Order to Show Cause Why the Matter Should Not be Remanded to State Court (Dkt. No. 5), and Plaintiff's Motion to Remand (Dkt. No. 7); the Court, having considered the submissions of the parties and arguments made during oral argument held June 18, 2013, and for good cause appearing;

IT IS on this 2 day of July, 2013,

ORDERED THAT:

- (1) Plaintiff's Motion to Remand is hereby **GRANTED**. The matter will be remanded to the Superior Court of New Jersey, Cape May division.
- (2) Plaintiff's request for attorneys' fees contained within the Motion to Remand is hereby **DENIED**.
- (3) The Colonial Claims Defendants' Motion to Dismiss is hereby **DENIED AS MOOT**.
- (4) The Court's Order to Show Cause is discharged.
- (5) The Clerk of Court is directed to **CLOSE THIS FILE**.

s/Joseph E. Irenas

Joseph E. Irenas, S.U.S.D.J.

